

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DLYAN E. JEROME,

Plaintiff

v.

ELKO COUNTY JAIL,

Defendant

Case No. 3:20-cv-00478-MMD-WGC

ORDER

I. DISCUSSION

On August 24, 2020, Plaintiff, an inmate in the custody of the Elko County Detention Center, submitted an application to proceed *in forma pauperis*. (ECF No. 1). Plaintiff has not filed a complaint in this matter.

Under Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff until on or before **October 26, 2020** to submit a complaint to this Court. Absent unusual circumstances, the Court will not grant any further extensions of time. If Plaintiff is unable to file a complaint on or before **October 26, 2020**, the Court will dismiss this case without prejudice for Plaintiff to file a new case with the Court when Plaintiff is able to file a complaint. A dismissal without prejudice means Plaintiff does not give up the right to refile the case with the Court, under a new case number, when Plaintiff is able to file a complaint.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that Plaintiff will submit a complaint to this Court on or before **October 26, 2020**.

IT IS FURTHER ORDERED that the Clerk of the Court will send to Plaintiff the approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same.

IT IS FURTHER ORDERED that, if Plaintiff does not file a complaint on or before **October 26, 2020**, the Court will dismiss this action without prejudice for Plaintiff to refile

1 the case with the Court, under a new case number, when Plaintiff is able to file a
2 complaint.

3 DATED: August 25, 2020

4 William G. Cobb
5 UNITED STATES MAGISTRATE JUDGE
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